

## REMARKS

The Notice to file Missing Parts in Nonprovisional Application issued in connection with the above-identified patent application indicates that: 1) the statutory filing fee is missing; 2) the Oath or declaration is missing; and 3) a copy of the "Sequence Listing" in computer readable form has not been submitted as required under 37 CFR 1.821(e).

In response, Applicants submit a copy of the Oath or Declaration filed in the grandparent application Serial No. 08/940,095, now U.S. Patent No. 6,004,925. It is respectfully requested to make this document of record in the application. Pursuant to 37 C.F.R. §1.16(e), the surcharge required for filing of the Declaration is believed to be \$130.00. The statutory filing fee is believed to be \$790.00.

Also enclosed in this submission is a copy of the Request for filing the instant continuation application under 37 CFR § 1.53(b) (hereinafter "The Request"), filed with the United States Patent and Trademark Office on November 17, 2003. This document contains a request to use a computer readable form of the Sequence Listing from prior application Serial No. 09/453,840, filed on December 1, 1999. The document also contains a statement under 37 CFR § 1.821(f), that the content of the paper copy of the Sequence Listing submitted with the application is identical to the content of the computer readable form of the Sequence Listing in application Serial No. 09/453,840. Accordingly, Applicants reaffirm these requests with respect to the Sequence Listing herein and respectfully submit that they complied with the sequence rules under 37 CFR § 1.821 in connection with the identified above patent application.

Applicants noticed that the Request incorrectly indicated the number of extra claims in the application, as evident from a copy of the Preliminary Amendment filed as part of the application on November 17, 2003. In the Preliminary amendment, Claims 1-56 had been canceled and new Claims 57-79 had been added. Accordingly, an applicable fee is a fee for 3 extra claims, not 26 claims, as shown on the copy of the Request. This error was corrected on the Fee Transmittal attached to this submission.

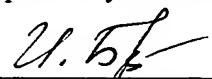
Enclosed is a request for change of correspondence address indicating the appropriate Customer Number.

Pursuant to 37 C.F.R. §1.136 (a)(3), the Commissioner is authorized to charge all required fees, including the statutory filing fee, the surcharge for filing of the Declaration, the extra claim fee, fees under 37 C.F.R. §1.17 and all required extension of time fees, or credit

any overpayment, to Jones Day U.S. Deposit Account No. 503013 (Attorney Docket No. 9196-030-999), as set forth on the attached Fee Transmittal sheet.

Respectfully submitted,

Date: January 18, 2005



50,498

For: Anthony M. Insogna

(Reg. No.)  
35,203

**JONES DAY**  
222 East 41<sup>st</sup> Street  
New York, New York 10017-6702  
(212) 328-6431